

Appl. No. 10/714,035
Amendment dated June 23, 2005
Reply to Office Action mailed Dec. 23, 2004

REMARKS

This is a full and timely response to the Office Action of December 23, 2004. By the present Amendment, the claims have been amended to more particularly and distinctly point out the novelty and non-obviousness of the present invention. Also, the specification has been amended so as to replace the title with a more descriptive title. Reconsideration and allowance of the application and all presently pending claims are respectfully requested.

The present invention provides a system and method for language translation which can incorporate internal and external translation dictionaries for improved translation speed and accuracy. In one aspect, the present invention can search for and find external translation dictionaries, such as through the Internet, and employ such dictionaries depending on user input. In a further aspect, the present invention can determine whether the dictionary is public domain, and if not, can generate a license agreement or otherwise establish compensation mechanisms to compensate the owner of the proprietary, non-public domain dictionary. Thus, the present invention is versatile in that it can exploit and assist external dictionary builders and dictionary owners, while determining and using the best available dictionary for a translation task without necessitating internal maintenance and updating of external dictionaries.

Response to 35 USC 102 and 103 rejections

In the Office Action dated December 23, 2004, the Examiner has rejected claims 1, 2, 4-6, 8-14, 16-18, 20-22, 24-30 and 32-35 under 35 USC 102(b) based on U.S. Patent No. 5,535,120 to Chong et al. (hereinafter "Chong"). The Examiner has further rejected claims 3, 7,

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15, 19, 23 and 31 under 35 USC 103(a) as being unpatentable over Chong. Based on the above amendments and the present remarks, Applicant submits that these rejections have been traversed and that the present claims are allowable over all prior art of record, considered singly or in combination.

By the present amendment, claim 1 has been amended to recite that the first-type translation dictionaries are maintained within the system dictionary database, and that the dictionary search component is capable of searching a non-system resource separate from the system dictionary database for at least one second-type dictionary database, and storing a resource locator indicative of an electronic address for the second-type dictionary. Claim 1 further incorporates the element of the interface component for communicating input text to the second-type dictionary for translation upon the selection component selecting the second-type dictionary. Support for these amendments can be found, for example, on pages 20 through 24 of the specification. Claim 17 has been amended similarly to claim 1.

Applicant submits that the Chong reference neither teaches nor suggests the invention as claimed in amended claims 1 and 17. Chong discloses no dictionary search component capable of searching non-system resources separate from the system dictionary database and storing a resource locator indicative of an electronic address for the searched-for dictionary. Chong also does not disclose an interface component for communicating input text to the externally searched-for dictionary upon the external dictionary being selected for translation activity. Rather, Chong discloses storing and maintaining all dictionaries in the system's dictionary

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database 22, which embodies a hierarchical structure of nested dictionaries (*see col. 11, line 45 to col. 12, line 5*). Within this structure are more general, higher-level dictionaries and user specific, lower-level dictionaries (*see col. 12, lines 23-44*). Chong describes that this approach provides for minimum lookup time, because it directs the search first to the user dictionaries, then to the sublanguage dictionaries, and on up the chain. (*see col. 12, lines 45-58*).

As such, there is an inherent limitation in Chong in that, if a particular sub-domain dictionary, for example, is not available within the system dictionary database, the text input into the system will not necessarily be translated most accurately. Further, providing a comprehensive set of sub-domain dictionaries across a comprehensive range of categories as suggested by Chong provides for an unwieldy database absorbing significant memory and resources, which can slow down system processing speeds. Even further, the Chong reference is not supportive or suggestive of incorporating external dictionaries. The Chong system would be required to assess the generality or specificity of any external dictionary to know where it belonged in the dictionary selection process (i.e., from more specific to more general). Chong discloses nothing directly or indirectly on how it might accomplish such a task.

In contrast, the present invention as claimed allows for the incorporation of external dictionaries, such as those readily available and maintained by external owners, who can profit from allowing their dictionaries to be accessed by the system of the present invention. By not having to store, maintain, update or replace such external dictionaries, the present invention saves storage space and reduces maintenance requirements, while making a dictionary selection

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determination based on a wide selection of available dictionaries, thereby providing the most accurate translation available. Accordingly, the present invention as claimed addresses the needs of the translation customer, the translation system operator, the translation dictionary owner and translation system support personnel all at once.

For the above reasons, Applicant submits that the Chong reference neither teaches or suggests the invention of amended claims 1 and 17. Claim 33 has also been amended to incorporate the aspect of the present invention whereby the dictionary search component searches a resource separate from the dictionary storage component and stores a resource locator indicative of an electronic address for the external dictionary. Further, claim 34 has been amended to incorporate means for searching for translation dictionaries not maintained within the dictionary database and means for providing an interface to such dictionaries. For the foregoing reasons described in connection with claims 1 and 17, Applicant submits that these claims are similarly not disclosed or suggested by Chong, or any of the other references of record.

Applicant has further amended claims 4 and 20 to incorporate the aspect of the invention whereby a license agreement can be generated upon discovering that a second-type dictionary is not in the public domain. Support for these amendments can be found, for example, on pages 23 to 24 of the specification. Applicant submits that Chong does not teach or suggest the invention as claimed in these claims, much less as claimed in the independent claims upon which claims 4 and 20 respectively depend. Applicant thus submits that these claims are allowable, and that the

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remaining dependent claims are also allowable based upon being dependent from an allowable independent claim.

In addition to the above, Applicant respectfully submits that the Official Notice taken by the examiner in the rejection of claims 3, 7, 15, 19, 23 and 31 is not proper. As stated in MPEP Section 2144.03, it is not appropriate for the examiner to take official notice of facts without citing a prior art reference, where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. The examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge. *See MPEP 2144.03 and cases cited therein.* The applicant should be presented with the explicit basis on which the examiner regards the matter as subject to official notice and should be allowed to challenge the assertion in the next reply after the Office action in which the common knowledge statement was made. *Id.*

In the present case, the Examiner has noted the following elements as officially noticed:

- Storing at least one user-specified dictionary and a user history, said history including an identification of a selected dictionary (claim 3 as dependent from claim 1; and claim 19 as dependent from claim 17)
- A dictionary population interface including a security component having functionality for limiting access to the dictionary population interface (claim 7 as dependent from claims 1 and 6; and claim 23 as dependent from claims 17 and 22)

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- A notification component for notifying a system operator of the public domain status of a second-type dictionary (claim 15 as dependent from claim 1)

Applicant submits that the above elements are not capable of instant and unquestionable demonstration as being well-known in the art, and requests that the examiner provide an explicit basis for regarding these elements as subject to official notice, to the extent such claims are deemed not allowable based on the present response.

For all of the above reasons, Applicant submits that none of the cited references, taken either singly or combined, teaches or suggests the system and method of the present invention as presently claimed, and that the rejections in the Office Action of December 23, 2004 have been traversed. Applicant further submits that the title as amended on page 2 of this paper is sufficiently descriptive.

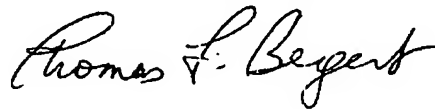
CONCLUSION

Based on the foregoing, Applicant submits that the present application is in position for prompt adjudication and allowance. Applicant believes that the title as amended is acceptable and that all of the claims currently pending in the present application are now in condition for allowance, and an early notice to that effect is earnestly solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the present application, the Examiner is invited to contact Applicant's undersigned representative at the address and phone number provided below. A three-month extension of time is being filed

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simultaneously with this Amendment. The Commissioner is hereby authorized to charge Deposit
Account No. 50-0766 in payment of the required fees.

Respectfully submitted,
WILLIAMS MULLEN, PC



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Filed: June 23, 2005
Attached: Petition for 3-month extension of time

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